

THURSDAY, APRIL 26, 2001

THIRTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Christopher Haynes, Fairfield Glade United Methodist Church, Crossville, Tennessee.

Representative Walker led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 305: Rep(s). Beavers as prime sponsor(s).

House Joint Resolution No. 306: Rep(s). Beavers as prime sponsor(s).

House Bill No. 452: Rep(s). Bone and Johnson as prime sponsor(s).

House Bill No. 705: Rep(s). Hargett as prime sponsor(s).

House Bill No. 1028: Rep(s). Beavers and Black as prime sponsor(s).

House Bill No. 1084: Rep(s). Boyer, Walker, Beavers, Black and Pleasant as prime sponsor(s).

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House Bill No. 1513: Rep(s). Clem, Vincent, Sharp, Overbey, Sargent, Ford, Hargett, Beavers, Todd, Kent, Black, Rowland, Johnson, Baird, Dunn, Roach, Walker, McKee, Montgomery, Wood, Davis (Washington), Buttry and Scroggs as prime sponsor(s).

House Bill No. 1517: Rep(s). Bone as prime sponsor(s).

House Bill No. 1620: Rep(s). Garrett as prime sponsor(s).

House Bill No. 1731: Rep(s). Bone, Goins, Ridgeway, Rinks and Shepard as prime sponsor(s).

House Bill No. 1930: Rep(s). McDaniel, Goins, Roach, Sargent, Head, Davidson, Ferguson, Whitson and McDonald as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Fitzhugh was/were removed as sponsor(s) of **House Bill No. 1930**.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1903; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 1903** -- Municipal Government - Validates status of certain territories as incorporated, mayor-aldermanic municipalities. Amends TCA Title 6, Chapter 1, Part 2. by *Wilder, *Davis L. (HB1930 by *Kisber, *McDaniel, *Goins, *Roach, *Davidson, *Ferguson, *Whitson, *McDonald, *Sargent, *Head)

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1068 and 1241; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 1068** -- Taxes, Agricultural and Open Spaces - Changes land classification applications due date from April 1 to March 1; modifies land value calculation; broadens rollback taxes provision. Amends TCA Section 67-5-1005 and 67-5-1008. by *Burks. (HB1731 by *White, *Walker, *Bone, *Goins, *Ridgeway, *Rinks, *Shepard)

***Senate Bill No. 1241** -- Unclaimed Property - Limits time for filing unclaimed property report; requires specific reporting of safe deposit box contents; authorizes specific reporting of securities; defines wages. Amends TCA Section 66-29-113; Section 66-29-115 and Section 66-29-136. by *Cooper J. (HB1302 by *Fitzhugh)

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 553; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 210 and 211; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 210 -- Memorials, Recognition - East Tennessee State University College of Business. by *Crowe.

Senate Joint Resolution No. 211 -- Memorials, Interns - N. Kristin Byrd. by *Atchley.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 62** -- General Assembly, Confirmation of Appointment - Vance W. Cheek, Jr., Claims Commission. by *Patton.

House Finance, Ways and Means Committee

***House Joint Resolution No. 298** -- General Assembly, Statement of Intent or Position - Supports Women's Health Program of Women In Government. by *DeBerry L.

House Finance, Ways and Means Committee

House Joint Resolution No. 307 -- Naming and Designating - Names and designates April 2002, and each April thereafter, as Minority Health Awareness Month in Tennessee. by *Turner (Shelby), *Armstrong, *McKee, *Cooper B, *Head, *Beavers, *Towns, *Caldwell, *Shaw, *Bittle, *Black.

House Calendar and Rules Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 30, 2001:

House Joint Resolution No. 310 -- Memorials, Professional Achievement - Glenda Lee Sullivan, Tennessee Humanities Council Award of Recognition for Outstanding Teaching. by *Shepard.

House Joint Resolution No. 311 -- Memorials, Professional Achievement - Dr. Judith Neff, Tennessee Humanities Council Award of Recognition for Outstanding Teaching. by *Dunn.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 30, 2001:

Senate Joint Resolution No. 210 -- Memorials, Recognition - East Tennessee State University College of Business. by *Crowe.

Senate Joint Resolution No. 211 -- Memorials, Interns - N. Kristin Byrd. by *Atchley.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2001 -- Henderson - Subject to local approval, revises various charter provisions. Amends Chapter 198 of the Acts of 1901; as amended. by *McDaniel.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 2002, was/were referred to the Delayed Bills Committee.

***House Bill No. 2002** -- Unicoi County - Authorizes county legislative body to direct county planning commission to regulate the placement, height and appearance of telephone microwave towers within unincorporated areas of county; such regulations must ensure adequate level of communication services while preserving scenic beauty of pre-existing, publicly-owned parks, preserves, forests and natural areas. Amends TCA Title 13, Chapter 24, Part 3. by *Whitson.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1964** -- Naming and Designating -- previously referred to the House Finance, Ways and Means Committee

***House Bill No. 1978** -- Naming and Designating -- previously referred to House Finance, Ways and Means Committee

***House Bill No. 1987** -- Blount County -- House Finance, Ways and Means Committee

***House Bill No. 1991** -- Appropriations -- previously referred to the House Finance, Ways and Means Committee

House Bill No. 1999 -- Kenton -- Local Bill Held on House Desk

House Bill No. 2000 -- Trenton -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 26, 2001**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 30, 2001**: House Bill(s) No(s). 869, 864, 635, 619, 1643, 344, 355, 1396, 252, 1516, 832, 1644 and House Joint Resolution(s) No(s). 137.

The Committee also set the following bill(s) on the **Supplemental Regular Calendar** for **April 26, 2001**: House Bill(s) No(s). 1930.

The Committee further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 30, 2001**: House Bill(s) No(s). 1603, 991, Senate Joint Resolution(s) No(s) 25, House Bill(s) No(s). 1089, 1607, 1922 and 1628.

CONSENT CALENDAR

House Bill No. 1998 -- Lauderdale County - Subject to local approval, decreases county highway commission from two members to one member. Amends Chapter 304 of the Private Acts of 1929; as amended. by *Fitzhugh. (SB1949 by *Norris)

On motion, House Bill No. 1998 was made to conform with **Senate Bill No. 1949**; the Senate Bill was substituted for the House Bill.

House Resolution No. 61 -- Memorials, Retirement - Dr. Bonnie S. Marrs. by *Patton.

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House Resolution No. 63 -- Memorials, Recognition - Reverend Martin Jaynes. by *Godsey.

House Resolution No. 64 -- Memorials, Professional Achievement - Joe W. Byrd. by *Godsey.

House Resolution No. 65 -- Memorials, Professional Achievement - Barbara Stanbridge, President and Owner of CHANGE-HRD. by *Brooks.

House Joint Resolution No. 295 -- Memorials, Recognition - Roger Thackston family. by *Walker, *Curtiss.

House Joint Resolution No. 296 -- Memorials, Recognition - Danny Kemmer family. by *Walker, *Curtiss.

House Joint Resolution No. 297 -- Memorials, Death - George Lester Hill, Jr. by *Walker, *Curtiss.

House Joint Resolution No. 299 -- Memorials, Death - Walter Taylor. by *Mumpower.

House Joint Resolution No. 300 -- Memorials, Academic Achievement - Jennifer Diane Beckman, Salutatorian, McGavock High School. by *West.

House Joint Resolution No. 301 -- Memorials, Academic Achievement - Galen Kyle Riley, Salutatorian, Antioch High School. by *West.

House Joint Resolution No. 302 -- Memorials, Professional Achievement - Odell Foster, Shelby County Administrator of the Year. by *Pleasant, *Hargett.

House Joint Resolution No. 305 -- Memorials, Personal Occasion - John and Nedra Stephens, 50th wedding anniversary. by *Bone.

House Joint Resolution No. 306 -- Memorials, Sports - Lebanon Blue Devils, TSSAA Class AAA State Tournament. by *Bone.

Rep. Walker moved that all members voting aye on House Joint Resolution No. 297 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes	0
Present and not voting	1

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Jones U -- 1.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1742 -- Building Commission, State - Authorizes commission to supervise projects involving improvement, demolition, acquisition, disposal, or lease of property by foundation created to benefit University of Tennessee or any institution of state university and community college system of Tennessee. Amends TCA Section 4-15-102. by *Kisber. (*SB1788 by *Henry)

Further consideration of House Bill No. 1742 previously considered on April 12, 2001, at which time it was reset for today's Calendar.

Rep. Kisber moved that House Bill No. 1742 be reset for the Regular Calendar on May 3, 2001, which motion prevailed.

House Bill No. 1055 -- Motor Vehicles - Clarifies that motor vehicle dealer may charge document preparation fee, processing fee, or servicing fee in addition to sales price and this does not constitute false or misleading practice for purposes of denial or suspension of license if such charges are separately disclosed to buyer. Amends TCA Section 55-17-114. by *Cole (Dyer). (*SB631 by *Cooper J, *Person)

Rep. Cole (Dyer) moved that House Bill No. 1055 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1055 by deleting all of the language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-17-114(b)(1)(E) is amended by adding at the end the following:

provided, that dealers are specifically authorized to charge a document preparation fee, processing fee or servicing fee in addition to the sales price of the motor vehicle and such fees shall not be deemed to be a false or misleading representation made in connection with the sale of a motor vehicle, nor a violation of the provisions of Tennessee Code Annotated, Section 47-18-101, *et seq.*, provided that the amount of such fees is separately stated and clearly and conspicuously disclosed on the face of the sales contract or buyer's invoice prior to the buyer's execution thereof.

For purposes of this provision the disclosure shall be deemed to be "conspicuous" if it is listed on the contract or invoice in the same place and manner and in type face no smaller or less obvious than the other type face used therein with respect to other charges listed, and shall be deemed to be "clear" if it states that the charge is a fee for "document preparation" "processing" or "servicing" or language or abbreviations to the same or a similar effect. The authorization provided by this provision shall not apply if the dealer represents to the buyer that such fee is required by or will be paid to any governmental agency or entity.

SECTION 2. The provisions of this Act are not intended to alter, amend, or affect the provisions of any existing statute or administrative rule regarding advertising of motor vehicles.

SECTION 3. This act is declaratory of existing law in the State of Tennessee and merely codifies the existing policies concerning the subject.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Cole (Dyer) moved that **House Bill No. 1055**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 705** -- Taxes, Privilege - Adds retroactive clause to subsection requiring two-thirds approval; changes two-thirds approval requirement to two-thirds non-affirmative rejection of provisions of subsection. Amends TCA Title 67, Chapter 4, Part 7. by *Garrett. (SB1518 by *Rochelle)

Rep. Garrett moved that **House Bill No. 705** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1529 -- Liens - Enacts "Perfection, Priority And Enforcement of Public Pledges And Liens Act." Amends TCA Title 9 and Title 47. by *Kisber. (*SB1330 by *Henry)

Rep. Kisber moved that House Bill No. 1529 be reset for the Regular Calendar on May 3, 2001, which motion prevailed.

House Bill No. 1302 -- Unclaimed Property - Limits time for filing unclaimed property report; requires specific reporting of safe deposit box contents; authorizes specific reporting of securities; defines wages. Amends TCA Section 66-29-113; Section 66-29-115 and Section 66-29-136. by *Fitzhugh. (*SB1241 by *Cooper J)

Rep. Fitzhugh requested that House Bill No. 1302 be moved to the heel of the Calendar.

***House Bill No. 1412** -- Public Contracts - Exempts department of transportation service contracts related to land acquisition from commissioner of finance and administration's rules for public contracts; deletes exemption from public contract provisions for contracts to hire additional counsel for state or any of its departments, institutions or agencies. Amends TCATitle 12 Chapter 4. by *Buck, *Curtiss, *Ford S, *Head, *Kisber. (SB1690 by *Haun, *Atchley)

Rep. Buck moved that House Bill No. 1412 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1412 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 12-4-109(b), is amended by adding the following new language at the end of the subsection:

This section also does not apply to contracts for appraisal, relocation or acquisition services related to the acquisition of land that are entered into by the department of transportation pursuant to the provisions of title 54, chapter 5; provided, that the department of transportation will enter into such contracts utilizing the same procedures it utilizes for contracting for engineering services.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Boyer moved the previous question, which motion prevailed.

Rep. Buck moved that **House Bill No. 1412**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1084 -- Employees, Employers - Requires, when minor takes drug test as part of job application process, notification to parents or guardians of minors' drug test results. Amends TCA Title 50, Chapter 9. by "West. (*SB1403 by *Haynes, *Burks)

On motion, House Bill No. 1084 was made to conform with **Senate Bill No. 1403**; the Senate Bill was substituted for the House Bill.

Rep. West moved that Senate Bill No. 1403 be passed on third and final consideration.

On motion, Rep. Buck withdrew House Judiciary Committee Amendment No. 1.

Rep. West moved that **Senate Bill No. 1403** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1620 -- Sunset Laws - Board of dispensing opticians, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 14. by *Kernell, *Cooper B, *Brooks. (*SB51 by *Harper)

Rep. Kernell moved that House Bill No. 1620 be passed on third and final consideration.

Rep. Brooks moved adoption of House Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1620 By deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-224(a), is amended by adding a new item thereto, as follows:

() Board of dispensing opticians, created by Section 63-14-101;

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On motion, House Government Operations Committee Amendment No. 1 was adopted.

Rep. Kernell moved that **House Bill No. 1620**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes92

Noes2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 92.

Representatives voting no were: Odom, Turner (Davidson) – 2.

A motion to reconsider was tabled.

House Bill No. 1517 -- Correctional Programs - Directs prison industry program to strive to provide or create other programs as deemed necessary by TRICOR to support inmate's rehabilitation efforts. Amends TCA Title 41, Chapter 22. by *Pinion. (*SB1479 by *Kyle)

Rep. Pinion moved that House Bill No. 1517 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1517 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 41-22-402(2), is amended by inserting the language "and in placement in its post-release program" after the word "jobs" and before the semi-colon ";".

SECTION 2. Tennessee Code Annotated, Section 41-22-403(2), is amended by deleting the word "and" at the end of subdivision (E) and by adding the following language as a new subdivision (G):

(G) To provide or create other programs and services as deemed necessary by TRICOR to support an inmate's rehabilitation and reintegration efforts; and

SECTION 3. Tennessee Code Annotated, Section 41-22-404, is amended by deleting the first sentence in its entirety and by substituting instead the following sentence:

There is hereby created a board to be known as the Tennessee rehabilitative initiative in correction board (TRICOR) hereinafter referred to as "the board", which has the authority to manage and operate the prison industry program for the state of Tennessee including its post-release placement program.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Pinion moved that **House Bill No. 1517**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1731 -- Taxes, Agricultural and Open Spaces - Changes land classification applications due date from April 1 to March 1; modifies land value calculation; broadens rollback taxes provision. Amends TCA Section 67-5-1005 and 67-5-1008. by *White, *Walker. (*SB1068 by *Burks)

Rep. White moved that House Bill No. 1731 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1, which motion was immediately withdrawn.

Rep. White requested that House Bill No. 1731 be moved to the heel of the Calendar.

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House Bill No. 1028 -- Alcoholic Beverages - Makes exhibition or use of false identification to purchase or obtain alcoholic beverages by person less than 21 years punishable by loss of driver license. Amends TCA Section 57-4-203. by *Hagood, *Bunch. (*SB1488 by *Burchett, *Williams)

On motion, House Bill No. 1028 was made to conform with **Senate Bill No. 1488**; the Senate Bill was substituted for the House Bill.

Rep. Hagood moved that **Senate Bill No. 1488** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Brooks, Turner (Shelby) -- 2.

A motion to reconsider was tabled.

House Bill No. 1267 -- Forest and Forest Products - Prohibits clear cutting in Standing Stone State Park. Amends TCA Title 11. by *Windle. (*SB281 by *Davis L)

Rep. Windle moved that House Bill No. 1267 be passed on third and final consideration.

Rep. Garrett moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1267 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 2. Notwithstanding the provisions of Section 1, clear-cutting may be permitted in Standing Stone State Park in cases of natural disaster or insect infestation provided that the department of environment and conservation has determined prior to any such clear-cutting that it is a reasonable and appropriate response to such disaster or infestation and that it is consistent with the department's duty to preserve and maintain the park. Such clear-cutting may occur only in a manner approved in advance by the department.

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On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

Rep. Windle moved that **House Bill No. 1267**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Walker -- 1.

A motion to reconsider was tabled.

House Bill No. 718 -- Boards and Commissions - Eliminates six positions on board of law examiners. Amends TCA Section 23-1-101. by *Todd. (*SB196 by *Cohen, *Norris)

On motion, House Bill No. 718 was made to conform with **Senate Bill No. 196**; the Senate Bill was substituted for the House Bill.

Rep. Todd moved that Senate Bill No. 196 be passed on third and final consideration.

On motion, Rep. Buck withdrew House Judiciary Committee Amendment No. 1.

Rep. Todd moved that **Senate Bill No. 196** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Wittingham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 1409** -- Motor Vehicles, Titling and Registration - Changes recordkeeping requirements for certificates of titles to prohibit index cards; authorizes duplication of titles; changes fees and duration for temporary tags; removes notary requirement to obtain police association cultural plates. - TCA Title 55, Chapters 1, 2, 3, 4, 5, and 6. by *Newton, *Ford S. (SB1687 by *Miller J, *Clabough)

Rep. Newton moved that House Bill No. 1409 be passed on third and final consideration.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1409 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The additional revenue generated from the additional temporary operation fees and permits authorized in Section 55-4-115(a)(1) and the additional temporary plate fees and permits authorized in Section 55-4-221(c)(4) shall be deposited in the alcohol and drug addiction treatment fund provided in Section 40-33-211 and shall not be included in the general fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Newton moved that **House Bill No. 1409**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	99
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

***House Bill No. 452** -- Alcoholic Beverages - Allows Tennessee Farm Winegrowers Association to hold eight wine festivals per year - festival not to exceed 72 hours; allows any Tennessee-licensed winery to transport, sell, and offer complimentary samples of their wine for tasting at festival; restricts complimentary sample size to one ounce per person for each type of wine. Amends TCA Section 57-3-207. by *Newton, *Langster. (SB1591 by *Clabough)

On motion, House Bill No. 452 was made to conform with **Senate Bill No. 1591**; the Senate Bill was substituted for the House Bill.

Rep. Newton moved that Senate Bill No. 1591 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1591 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 57-3-207(m), is amended by deleting the first sentence of this subsection and substituting instead the following language:

The commission is empowered and authorized to promulgate such rules and regulations as may be necessary to carry out the duties of the commission as provided in this section, including but not limited to procedures governing the production, sale and transportation of wine.

SECTION ____ Tennessee Code Annotated, Section 57-3-207(m), is further amended by deleting the period after the word "hereunder" at the end of the second sentence and inserting the following language:

, and for any failure to comply with such procedures, the commissioner shall notify the commission, which is authorized to revoke or suspend the license of any winery.

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, State and Local Government Committee Amendment No. 2 was adopted.

Rep. Miller moved the previous question, which motion prevailed.

Rep. Newton moved that **Senate Bill No. 1591**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	0
Present and not voting	8

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 88.

Representatives present and not voting were: Beavers, Brooks, Bunch, Dunn, Ferguson, Ford, Goins, Wood -- 8.

A motion to reconsider was tabled.

House Bill No. 1513 -- Insurance, Health, Accident - Authorizes certain non-profit business coalitions for health to pool liabilities to qualify as self-insurers. Amends TCA Section 56-26-204. by *McKee, *Patton, *Hagood. (*SB1622 by *Clabough, *Fowler, *Dixon)

On motion, House Bill No. 1513 was made to conform with **Senate Bill No. 1622**; the Senate Bill was substituted for the House Bill.

Rep. McKee moved that Senate Bill No. 1622 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew House Commerce Committee Amendment No. 1.

On motion, Rep. Rhinehart withdrew House Commerce Committee Amendment No. 2.

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Rep. McKee moved that **Senate Bill No. 1622** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	1
Present and not voting	4

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Bowers -- 1.

Representatives present and not voting were: Jones U, Kernell, Langster, McMillan -- 4.

A motion to reconsider was tabled.

House Bill No. 1302 -- Unclaimed Property - Limits time for filing unclaimed property report; requires specific reporting of safe deposit box contents; authorizes specific reporting of securities; defines wages. Amends TCA Section 66-29-113; Section 66-29-115 and Section 66-29-136. by *Fitzhugh. (*SB1241 by *Cooper J)

Further consideration of House Bill No. 1302 previously considered on today's Calendar.

On motion, House Bill No. 1302 was moved to the heel of the Calendar.

House Bill No. 1731 -- Taxes, Agricultural and Open Spaces - Changes land classification applications due date from April 1 to March 1; modifies land value calculation; broadens rollback taxes provision. Amends TCA Section 67-5-1005 and 67-5-1008. by *White, *Walker. (*SB1068 by *Burks)

Further consideration of House Bill No. 1731 previously considered on today's Calendar.

On motion, House Bill No. 1731 was moved to the heel of the Calendar.

SPECIAL ORDER

Without objection, the House took up the Supplemental Regular Calendar.

SUPPLEMENTAL REGULAR CALENDAR

House Bill No. 1930 -- Municipal Government - Validates status of certain territories as incorporated, mayor-aldermanic municipalities. Amends TCA Title 6, Chapter 1, Part 2. by *Kisber, *McDaniel, *Goins, *Roach, *Davidson, *Ferguson, *Whitson, *McDonald, *Sargent, *Head. (*SB1903 by *Wilder)

On motion, House Bill No. 1930 was made to conform with **Senate Bill No. 1903**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 1903 be passed on third and final consideration.

REMARKS

Without objection, Rep. U. Jones read the following memorandum and requested that the same be spread upon the Journal:

COMMUNICATION

To: Honorable Ulysses Jones, Jr.
State Representative

From: Paul G. Summers
Attorney General

Ann Louise VIX
Senior Counsel

Date: April 23, 2001

Re: Senate Bill 1903/House Bill 1930

This Memorandum is intended to address your concerns you have expressed about the scope and effect of Senate Bill 1903/House Bill 1930.

1. Does this bill affect any communities or cities in Shelby County? No. By its terms this bill only effects cities that incorporate as cities under the Mayor-Aldermanic Charter since 1991 and are still functioning as cities. There are no such cities in Shelby County.
2. Does this bill amend any provision of the state's growth law at Tenn. Code Ann. §§ 6-58-101, *et seq.*? No, and under the caption of the bill it may only amend statutes at Tenn. Code Ann. §§ 6-1-201, *et seq.* relative to mayor-aldermanic municipalities.
3. Does this bill affect any provisions of 1998 Tenn. Pub. Acts Ch. 1101? No. It amends only one statute, and that statute was not included in the 1998 act.

REGULAR CALENDAR, CONTINUED

Rep. Kisber moved that **Senate Bill No. 1903** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	75
Noes	13
Present and not voting	9

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Buck, Caldwell, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Kent, Kernell, Kisber, Langster, Lewis, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Davidson), Walker, West, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 75.

Representatives voting no were: Armstrong, Bowers, Briley, Brooks, Chumney, Cooper, DeBerry J, DeBerry L, Maddox, McMillan, Towns, Vincent, White -- 13.

Representatives present and not voting were: Brown, Bunch, Buttry, Hagood, Jones S, Jones U, Odom, Pruitt, Turner (Shelby) -- 9.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Bill No. 1731 -- Taxes, Agricultural and Open Spaces - Changes land classification applications due date from April 1 to March 1; modifies land value calculation; broadens rollback taxes provision. Amends TCA Section 67-5-1005 and 67-5-1008. by *White, *Walker. (*SB1068 by *Burks)

Further consideration of House Bill No. 1731 previously considered on today's Regular Calendar.

On motion, House Bill No. 1731 was made to conform with **Senate Bill No. 1068**; the Senate Bill was substituted for the House Bill.

Rep. White moved that Senate Bill No. 1068 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2.

Rep. White moved that **Senate Bill No. 1068** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1302 -- Unclaimed Property - Limits time for filing unclaimed property report; requires specific reporting of safe deposit box contents; authorizes specific reporting of securities; defines wages. Amends TCA Section 66-29-113; Section 66-29-115 and Section 66-29-136. by *Fitzhugh. (*SB1241 by *Cooper J)

Further consideration of House Bill No. 1302 previously considered on today's Calendar.

On motion, House Bill No. 1302 was made to conform with **Senate Bill No. 1241**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that Senate Bill No. 1241 be passed on third and final consideration.

On motion, Rep. Buck withdrew House Judiciary Committee Amendment No. 1.

Rep. Fitzhugh moved that **Senate Bill No. 1241** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	99
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on April 30, 2001:

House Bill No. 488: by Rep. Davis (Cocke)

House Bill No. 553: by Rep. McDonald

RULES SUSPENDED

Rep. Shaw moved that the rules be suspended for the purpose of introducing House Resolution No. 67 out of order, which motion prevailed.

House Resolution No. 67 -- Memorials, Death - Mrs. Nola Walker Bond. by *Shaw, *Maddox, *Cooper B, *Shepard.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Shaw, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hood moved that the rules be suspended for the purpose of introducing House Resolution No. 66 out of order, which motion prevailed.

House Resolution No. 66 – Memorials, Recognition - Exchange Club of Murfreesboro, 50th Anniversary. by *Hood.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hood, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. McCord moved that the rules be suspended to allow **House Joint Resolution No. 309** to be placed on the Regular Calendar for Monday, April 30, 2001, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 111: Rep(s). Fowlkes as prime sponsor(s).

House Bill No. 224: Rep(s). L. DeBerry as prime sponsor(s).

House Bill No. 344: Rep(s). Stanley as prime sponsor(s).

House Bill No. 526: Rep(s). Garrett as prime sponsor(s).

House Bill No. 930: Rep(s). Bittle as prime sponsor(s).

House Bill No. 1175: Rep(s). Chumney, Pruitt, Ferguson, Towns, Miller and Lewis as prime sponsor(s).

House Bill No. 1607: Rep(s). Lewis, Ferguson, Caldwell and Cole (Dyer) as prime sponsor(s).

MESSAGE FROM THE SENATE
April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1951, 1962, 1983, 1984, 1986, 1990, 1992 and 1994; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1543; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENGROSSED BILLS

April 26, 2001

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 295, 296, 297, 299, 300, 301, 302, 305 and 306.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 203; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 304.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 68.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 960, 1062 and 1826; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1903; for the signature of the Speaker.

RUSSELL A. HUMPHREY Chief Clerk.

SIGNED

April 26, 2001

The Speaker signed the following: Senate Bill(s) No(s). 1903.

ENGROSSED BILLS

April 26, 2001

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 705, 1055, 1267, 1409, 1412, 1517 and 1620.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 215, 237, 241, 242, 243, 244, 245, 246, 247, 248, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263 and 269; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

April 26, 2001

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 290, 464, 789, 960, 1062, 1543, 1826, 1951, 1962, 1983, 1984, 1986, 1990, 1992, 1994; House Joint Resolution(s) No(s). 203; also, House Resolution(s) No(s). 61, 63, 64, 65, 66 and 67.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 26, 2001

The Speaker signed the following: House Bill(s) No(s). 290, 464, 789, 960, 1062, 1543, 1826, 1951, 1962, 1983, 1984, 1986, 1990, 1992, 1994; House Joint Resolution(s) No(s). 203; also, House Resolution(s) No(s). 61, 63, 64, 65, 66 and 67.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 290, 464, 789, 960, 1062, 1543, 1826, 1951, 1962, 1983, 1984, 1986, 1990, 1992, 1994; also, House Joint Resolution(s) No(s). 203; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 26, 2001

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 290, 464, 789, 960, 1062, 1543, 1826, 1951, 1962, 1983, 1984, 1986, 1990, 1992, 1994; also, House Joint Resolution(s) No(s). 203.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

April 26, 2001

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 215, 237, 241, 242, 243, 244, 245, 246, 247, 248, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263 and 269.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 26, 2001

The Speaker signed the following: House Joint Resolution(s) No(s). 215, 237, 241, 242, 243, 244, 245, 246, 247, 248, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263 and 269.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 215, 237, 241, 242, 243, 244, 245, 246, 247, 248, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263 and 269; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 26, 2001

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 215, 237, 241, 242, 243, 244, 245, 246, 247, 248, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263 and 269.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 171, 294, 458, 1098, 1101, 1688; also, Senate Joint Resolution(s) No(s). 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207 and 208 for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

SIGNED

April 26, 2001

The Speaker signed the following: Senate Bill(s) No(s). 171, 294, 458, 1098, 1101, 1688; also, Senate Joint Resolution(s) No(s). 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207 and 208.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1276, 1328, 1761, 1789 and 1879; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 1276** -- Uniform Laws - Enacts "Revised Uniform Partnership Act of 2001." Amends TCA 61-1-148 and repeals TCA Sections 61-1-101 to 61-1-142. by *Jackson. (HB1328 by *McMillan)

***Senate Bill No. 1328** -- Bonds and Undertakings, Regulation of - Revises various provisions concerning issuance of public bonds and notes. Amends TCA Title 4, Chapter 31; Title 7, Chapter 34; Title 7, Chapter 82; Title 9, Chapter 21; Title 12, Chapter 10; Title 13, Chapter 23; and Title 49, Chapter 3. by *Henry. (HB1531 by *Kisber)

***Senate Bill No. 1761** -- Health Care - Expands regulations and requirements to operate body piercing establishment. Amends TCA Title 62. by *Kurita, *Rochelle. (HB1765 by *McMillan)

THURSDAY, APRIL 26, 2001 – THIRTY-SECOND LEGISLATIVE DAY

Senate Bill No. 1789 -- Aged Persons - Revises duties of commission on aging to include services to disabled persons; increases membership of commission to include executive director of Tennessee Developmental Council. Amends TCA Title 71, Chapter 2. by *Harper, *Trail, *Burchett, *Burks. (*HB1624 by *Kernell, *Cooper B, *Pruitt, *Patton, *Odom, *Davis (Washington), *Montgomery, *Bowers, *Arriola)

Senate Bill No. 1879 -- Energy - Broadens certain powers of energy acquisition corporation. Amends TCA Title 7, Chapter 39, Part 3. by *Rochelle, *Carter, *Rochelle. (*HB1458 by *Kisber)

MESSAGE FROM THE GOVERNOR

April 26, 2001

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 182, 465, 484, 540, 776, 916, 1154, 1206, 1285, 1386, 1625, 1634, 1680 and 1815, with his approval.

JAY BALLARD, Counsel to the Governor.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 249; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

April 26, 2001

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 249.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 26, 2001

The Speaker signed the following: House Joint Resolution(s) No(s). 249.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 249; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 26, 2001

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 249.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 26, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 196, 1068, 1241, 1403, 1488, 1622 and 1949; for the signature of the Speaker.

RUSSELL A. HUMPHREY Chief Clerk.

SIGNED

April 26, 2001

The Speaker signed the following: Senate Bill(s) No(s). 196, 1068, 1241, 1403, 1488, 1622 and 1949.

CONSENT CALENDAR

April 26, 2001

The following local bills have been placed on the Consent Calendar for **April 30, 2001**: House Bill(s) No(s). 1989, 1995 and 1999.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

THURSDAY, APRIL 26, 2001 – THIRTY-SECOND LEGISLATIVE DAY

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 5:00 p.m., Monday, April 30, 2001.